

11.04.2025
SL No.4 & 5
Court No.654
S.Gayen

WPCR 14185 of 2004
with
CAN 1 of 2008 (Old No. CAN 8163 of 2008)
in
WPA 11345 of 2004
with
WPA 9949 of 1998
Ashim Kr. Naskar & Ors.
Versus
The State of West Bengal

Mr. Supratim Dhar, Sr. Adv.
Mr. Dhananjay Nayak

...for the Petitioners

Mr. Satyajit Talukdar
Mr. Arindam Chatterjee

...for the KMDA / Respondent Nos. 3 to 8

Mr. Jyoti Prakash Chatterjee
Ms. Sanjukta Samanta

...for the State

1. This application seeking enforcement of the directions contained in an order of 8th June, 1998 has reached a stalemate, as part compliance has been done by the concerned officer, holding the hearing in terms of the said order. Stalemate, also as the concerned officer at the material time had not communicated the order within the stipulated time.
2. There is no clarity on the issue whether the order had been passed or not. As the matter pertains to an extremely old case, prior to the era of digitization, Mr. Chatterjee, learned advocate appearing for the State, on instructions submits that the present

incumbent of the concerned office is unable to trace the records.

3. Parties are *ad idem* that the cause of justice will be subserved if a fresh hearing is given by the concerned officer and a communication of the order is made within the stipulated time.
4. In view of the aforesaid, the District Magistrate, South 24 Parganas will give a hearing to the petitioner within a time of six weeks from the date of communication of this order to him by the petitioner and will consider and dispose of in terms of Annexure 'C' and 'D' of the writ petition.
5. The District Magistrate, South 24 Parganas is directed to communicate his order after the hearing within a further period of two weeks from the date of the hearing.
6. Let the matter appear on 2nd July, 2025.
7. A copy of the writ petition along with annexures has been handed over by Mr. Dhar to Mr. Chatterjee appearing on behalf of the alleged contemnor.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Reetobroto Kumar Mitra, J.)